IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.48688 of 2008
1. SUBHAS PRASAD
2. ANIL KUMAR
3. RAKESH KUMAR
Versus
THE STATE OF BIHAR

2/ 17/12/2008. Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner apprehends arrest in a police case under Sections- 364 of I.P.C.

The submission is of final form having been submitted of a subsequent death by accident.

The allegations are common of accosting the victim against the petitioners and co-accused Saryug Prasad. The anticipatory bail of the latter has already been rejected by a Bench of this Court in Cr. Misc. No.19255/07 after calling for the case diary.

WEB COPY NOT OFFICIAL

The principles of consistency apply not only in the grant of bail, but also in the rejection. The fine distinction with regard to grant of anticipatory bail to a lady, co-accused or that the co-accused whose bail has been rejected had put a pistol to the victim does not persuade this Court to take any different view of the matter.

The application is rejected.

KC **(Navin Sinha, J.)**